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This Users' Manual is issued as an operational tool.

This Manual contains:

- a) Regulations adopted by the California Department of Social Services (CDSS) for the governance of its agents, licensees, and/or beneficiaries
- b) Regulations adopted by other State Departments affecting CDSS programs
- c) Statutes from appropriate Codes which govern CDSS programs; and
- d) Court decisions
- e) Operational standards by which CDSS staff will evaluate performance within CDSS programs.

Regulations of CDSS are printed in gothic type as is this sentence.

Handbook material, which includes reprinted statutory material, other department's regulations and examples, is separated from the regulations by double lines and the phrases "**HANDBOOK BEGINS HERE**", "**HANDBOOK CONTINUES**", and "**HANDBOOK ENDS HERE**" in bold print. Please note that both other department's regulations and statutes are mandatory, not optional.

In addition, please note that as a result of the changes to a new computer system revised language in this manual letter and subsequent community care licensing manual letters will now be identified by graphic screen.

Questions relative to this Users' Manual should be directed to your usual program policy office.

Article 1. GENERAL REQUIREMENTS AND DEFINITIONS**84000 GENERAL****84000**

- (a) Group homes, as defined in Section 80001g.(1), shall be governed by the provisions specified in this chapter and in Chapter 1, General Requirements.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502, 1530 and 1531, Health and Safety Code.

84001 DEFINITIONS**84001**

In addition to Section 80001, the following shall apply:

- a. (Reserved)
- b. (Reserved)
- c. (1) "Child" means a person who is under 18 years of age and who is being provided care and supervision in a group home, except where specified otherwise in this chapter.
- (2) "Child with Special Health Care Needs" means a child who meets all of the following conditions:
- (A) Has a medical condition that requires specialized in-home health care and
- (B) Is one of the following:
1. A child who has been adjudged a dependent of the court under Section 300 of the Welfare and Institutions Code.
 2. A child who has not been adjudged a dependent of the court under Section 300 of the Welfare and Institutions Code but who is in the custody of the county welfare department.
 3. A child with a developmental disability who is receiving services and case management from a regional center.
- d. (1) "Discipline" means a penalty assessed by the facility against a child for his/her violation of the group home's rules, commitment of illegal actions or damage to property.

84001 **DEFINITIONS** (Continued)**84001**

- e. (Reserved)
- f. (1) "Facility Manager" as defined in Health and Safety Code Section 1522.4(a)(1).

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- (A) Section 1522.4(a)(1) defines a "facility manager" as "a person on the premises with the authority and responsibility necessary to manage and control the day-to-day operation of a community care facility and supervise the clients." The facility manager, licensee, and administrator, or any combination thereof, may be the same person provided he or she meets all applicable requirements. If the administrator is also the facility manager for the same facility, this person shall be limited to the administration and management of only one facility.

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- g. (1) "Group Home" means a facility which provides 24-hour care and supervision to children, provides services specified in this chapter to a specific client group, and maintains a structured environment, with such services provided at least in part by staff employed by the licensee. The care and supervision provided by a group home shall be nonmedical except as permitted by Welfare and Institutions Code Section 17736(b). Since small family and foster family homes, by definition, care for six or fewer children only, any facility providing 24-hour care for seven or more children must be licensed as a group home.

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- (A) Welfare and Institutions Code Section 17736(b) reads in pertinent part:

Counties, regional centers and foster family agencies shall permit...the licensee and other personnel meeting and requirements of paragraphs (3), (5), and (6) of subdivision (c) of Section 17731 to provide, in a group home, specialized in-home health care to a child, as described in his or her individualized health care plan, provided that the child was placed as of November 1, 1993.

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84001 DEFINITIONS (Continued)

84001

- h. (1) "Health Care Professional" means a physician or an individual who is licensed or certified under Division 2 of the Business and Professions Code to perform the necessary client care procedures prescribed by a physician. Such health care professionals include the following: Registered Nurse, Public Health Nurse, Licensed Vocational Nurse, Psychiatric Technician, Physical Therapist, Occupational Therapist and Respiratory Therapist.
- i. (1) "Individualized Health Care Plan" means the written plan developed by an individualized health care plan team and approved by the team physician, or other health care professional designated by the physician to serve on the team, for the provision of specialized in-home health care.
- (2) "Individualized Health Care Plan Team" means those individuals who develop an individualized health care plan for a child with special health care needs. This team must include the child's primary care physician or other health care professional designated by the physician, any involved medical team, the county social worker or regional center caseworker, and any health care professional designated to monitor the specialized in-home health care provided to the child as stated in the child's individualized health care plan. The individualized health care plan team may include, but shall not be limited to, a public health nurse, representatives from the California Children's Services Program or the Child Health and Disability Prevention Program, regional centers, the county mental health department and where reunification is the goal, the parent or parents, if available. In addition, the individualized health care plan team may include the prospective specialized group home licensee who shall not participate in any team determination required by Sections 84065.1(a)(1)(B) and (b)(2).
- j. (Reserved)
- k. (Reserved)
- l. (Reserved)
- m. (1) "Medical Conditions Requiring Specialized In-Home Health Care" means, provided that care may be safely and adequately administered in the home:
- (A) A dependency upon one or more of the following: enteral feeding tube, total parenteral feeding, a cardiorespiratory monitor, intravenous therapy, a ventilator, oxygen support, urinary catheterization, renal dialysis, ministrations imposed by tracheostomy, colostomy, ileostomy, ileal conduit, or other medical or surgical procedures or special medication regimens, including injection, and intravenous medication; or
- (B) Conditions such as AIDS, premature birth, congenital defects, severe seizure disorders, severe asthma, bronchopulmonary dysplasia, and severe gastroesophageal reflux when his/her condition could rapidly deteriorate causing permanent injury or death.

84001 DEFINITIONS (Continued)**84001**

- n. (1) "Needs and Services Plan" means a time-limited, goal-oriented written plan, implemented by the licensee, which identifies the specific needs of an individual child, including those items specified in Section 84068.2; and delineates those services necessary in order to meet the child's identified needs.
- o. (Reserved)
- p. (1) "Physical Restraining Device" means any physical or mechanical device, material, or equipment attached or adjacent to a child's body which the child cannot remove easily and which restricts the child's freedom of movement. Restraining devices include leg restraints, arm restraints, soft ties or vests, wheel chair safety bars, and full length bedrails.
- q. (1) "Qualified Mental Retardation Professional" means a person described in Title 22, Division 5, Chapter 8, Section 76834.

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Section 76834 defines a "qualified mental retardation professional" as "a person who has specialized training or two (2) years of experience in treating or working with the developmentally disabled and is one of the following:

- (A) A psychologist with a master's degree from an accredited program.
- (B) A physician as defined in Section 76826.
- (C) An educator with a degree in education from an accredited program.
- (D) A Social Worker with a bachelor's degree in:
- (1) Social work from an accredited program; or
- (2) A field other than social work and at least three (3) years of social work experience under the supervision of a social worker with a master's degree.
- (E) A physical therapist as defined in Section 76825.
- (F) An occupational therapist as defined in Section 76822.
- (G) A speech pathologist as defined in Section 76840.
- (H) An audiologist as defined in Section 76802.

HANDBOOK CONTINUES

84001 **DEFINITIONS** (Continued)**84001**

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- (I) A registered nurse as defined in Section 76835.
- (J) A recreation therapist as defined in Section 76834.
- (K) A rehabilitation counselor as defined in Section 76836.

HANDBOOK ENDS HERE

r. (Reserved)

- s. (1) "Satellite Home" means a facility which is owned by, contracted with, or otherwise controlled by the licensee of another group home. The primary function of the satellite home is to provide residential services to children who are former clients of the primary group home and/or to children who receive direct services from the primary group home. As specified in Section 80008(b), each satellite home is required to independently meet regulations applicable to its licensed category.
- (2) "Social Work Staff" means at least one social worker or other professional person trained in the behavioral sciences who provides, either through employment or alternative means, those services specified in this chapter.
 - (A) Such alternative means shall include services provided by the social work staff of placement agencies only when such services are within the scope of the duties assigned to the worker by his/her agency.

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- (B) Placement agencies include but are not limited to regional centers, county welfare departments, and probation departments.

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- (3) "Specialized Group Home" means a licensed group home which provides specialized in-home health care to children.
- (4) "Specialized In-Home Health Care" means health care identified by the child's physician as appropriately administered in the facility by a health care professional or by a licensee or staff trained by health care professionals pursuant to the child's individualized health care plan. For a child with special health care needs placed in a group home after November 1, 1993, these services must be provided by a health care professional.

84001 **DEFINITIONS** (Continued)**84001**

t. (Reserved)

u. (Reserved)

v. (Reserved)

w. (Reserved)

x. (Reserved)

y. (Reserved)

z. (Reserved)

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 1501, 1502, 1503, 1507, 1522.4 and 1531, Health and Safety Code; and Sections 11406(c), 17710(a), (d), (g), and (h), 17731 and 17736(a) and (b), Welfare and Institutions Code.

Article 2. LICENSING**84009 POSTING OF LICENSE****84009**

- (a) The license shall be posted in a prominent, publicly accessible location in the facility.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84010.1 TERM LIMITS FOR SPECIALIZED GROUP HOMES**84010.1**

- (a) Group homes may provide care and supervision to children with special health care needs provided that either:
- (1) The child was placed in the group home before January 1, 1992, and has since resided continuously in the home; or
 - (2) The child was or will be placed in the group home on or after January 1, 1992, and all of the following conditions are met:
 - (A) The child has not spent more than 120 calendar days in any group home or combination of group homes while having special health care needs.
 1. The 120-day limitation may not be extended except with the written approval of the Director or his/her designee.
 - (B) The placement is on an emergency basis for the purpose of arranging a subsequent placement in a less restrictive setting, such as with the child's natural parents or relatives, with a foster parent or foster family agency, or with another appropriate person or facility.
 - (C) The county social worker, regional center caseworker or authorized representative for each child in the home determines that the specialized group home can meet the specific needs of his/her child.
- (b) The licensee of a group home shall not accept a child requiring in-home health care, other than incidental medical services pursuant to Section 1507 of the Health and Safety Code, unless the child is a child with special health care needs.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17732(a), (d) and (e), and 17736(a), Welfare and Institutions Code and Section 1507, Health and Safety Code.

84010.2 PROHIBITION OF DUAL LICENSURE FOR SPECIALIZED GROUP HOMES**84010.2**

- (a) A group home licensee shall not hold any day care, other residential or health care facility license for the same premises as the group home while the home is providing care and supervision to children with special health care needs.
- (1) Any group home licensee planning to provide care and supervision to a child with special health care needs who holds a license as specified in Section 84010.2(a) shall surrender the license to the licensing agency prior to accepting a child with special health care needs.
- (2) The provisions specified in Sections 84010.2(a) and (a)(1) shall not apply to existing licensed group homes that meet both of the following:
- (A) All children with special health care needs were accepted prior to the effective date of this section; and
- (B) No application for a day care, other residential or health facility license was approved for the premises on or after the effective date of this section.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17732(e), Welfare and Institutions Code and Sections 1300, 1531 and 1524(c), Health and Safety Code.

84012 FALSE CLAIMS: INELIGIBILITY**84012**

In addition to Section 80012, the following shall apply:

If a person is determined to have made, disseminated, participated in making, or caused to be made a false or misleading statement pursuant to Section 80012(a), and that statement has resulted in a group home overpayment being assessed pursuant to the Manual of Policies and Procedures Section 11-402.6 et seq., then such person shall not be eligible for a new license under Division 6 or Division 12 and shall not be eligible to serve as an officer or employee of a new or subsequent licensee under Division 6 or Division 12 until the group home overpayment is fully repaid or otherwise discharged.

NOTE: Authority cited: Section 1550, Health and Safety Code. Reference: Section 1550, Health and Safety Code; and Sections 11466.22(a), (b), (e) and (f), Welfare and Institutions Code.

Article 3. APPLICATION PROCEDURES**84018 APPLICATION FOR LICENSE****84018**

- (a) In addition to Section 80018, the following shall apply.
- (b) Each applicant shall submit the following to the licensing agency:
 - (1) A financial plan of operation on forms provided or approved by the department.
 - (A) Start-up funds shall be available and shall include funds for the first three months of operation.
 - (B) Start-up funds shall be independent of prospective client fees. In cases of a change of ownership, expected income from clients currently in placement shall be considered.
 - (C) Start-up funds shall not include funds designated for or used for construction costs.
 - (D) The licensing agency shall have the authority to require written verification of the availability of the funds specified in (A) above.
 - (2) A written plan for training of child care staff, as specified in Section 84065(g).
 - (3) A written plan for activities as specified in Sections 84079(a) through (a)(5).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1520, 1531 and 1562, Health and Safety Code.

84022 PLAN OF OPERATION**84022**

- (a) In addition to Section 80022, the following shall apply.
- (b) The plan of operation shall include the following:
- (1) A statement regarding the types of children to be served by the facility, including dependent, neglected, delinquent, predelinquent, physically handicapped, developmentally disabled, mentally disordered, or emotionally disturbed children.
 - (2) A description of services to be provided by the facility which shall include the following:
 - (A) Procedures for development of a needs and services plan which addresses each child's needs and the services required to meet such needs.
 - (B) Procedures for review and evaluation of the needs and services plan.
 - (C) Policy regarding participation of the child and his/her authorized representative(s) in the development of the needs and services plan.
 - (D) Procedures for implementation and modification of the needs and services plan.
 - (E) Policies and procedures for the child's discharge when he/she reaches age 18; after needs and services plan goals have been reached; when the needs and services plan has proven to be ineffective; or when it has been determined that the child's continued placement in the facility is detrimental to the child or other children in the facility.
 - (3) The administrative policies and procedures to be used to implement the facility's plan of operation.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

**84026 SAFEGUARDS FOR CASH RESOURCES, PERSONAL PROPERTY,
AND VALUABLES 84026**

- (a) In addition to Section 80026, the following shall apply.
- (b) The licensee shall have written policies and procedures meeting the requirements in (c) below approved in advance by the licensing agency.
- (c) The licensee shall ensure that a child's cash resources are not taken in the form of fines unless the following requirements are met:
 - (1) All fines levied shall be recorded and explained in the child's file, including the amount of the fine and the reason for the fine.
 - (2) Such fines shall be maintained in an account separate from the personal or business accounts of the licensee or facility.
 - (A) Records shall be maintained accounting for any interest earned and expenditures from the account.
 - (3) All fines collected shall be used for the benefit of the individual child or all children in placement.
 - (4) The circumstances under which fines are to be imposed shall be specified in writing.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

**84044 INSPECTION AUTHORITY OF THE DEPARTMENT OR LICENSING
AGENCY 84044**

Repealed by Manual Letter No. CCL 89-08 (Effective 7/1/89).

Article 4. ADMINISTRATIVE ACTIONS (Reserved)**Article 5. ENFORCEMENT PROVISIONS****84051 SERIOUS DEFICIENCIES****84051****HANDBOOK BEGINS HERE**

- (a) In addition to Section 80051, the following are examples of regulations which, if not complied with, nearly always result in a serious deficiency.
- (1) Section 84010.1 - related to limitations on the capacity of specialized group homes.
 - (2) Section 84010.2 - related to dual licensure of specialized group homes.
 - (3) Section 84064 - related to the qualifications and duties of the administrator.
 - (4) Section 84065(b) - related to personnel requirements.
 - (5) Section 84065.1 - related to specialized in-home health care training and health screenings for staff in specialized group homes.
 - (6) Sections 84065.5 and .7 - related to staff/child ratios.
 - (7) Section 84068.2 - related to the needs and services plan for the child.
 - (8) Section 84075 - related to health-related services.
 - (9) Section 84072.1 - related to the discipline of children.
 - (10) Section 84072.2 - related to complaint procedures.
 - (11) Section 84087.1 - related to safety of accommodations for children with special health care needs.

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NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

Article 6. CONTINUING REQUIREMENTS**84061 REPORTING REQUIREMENTS****84061**

- (a) In addition to Section 80061, the following shall apply.
- (b) The licensee shall ensure that the child's authorized representative is notified no later than the next working day if the following circumstances have occurred without the authorized representative's participation:
 - (1) The child has been placed in the facility under emergency circumstances.
 - (2) The child has been removed from the facility.
- (c) The licensee shall ensure that the child's authorized representative is sent prior written notification regarding the need for nonemergency relocation of the child to another facility, including a satellite home.
- (d) The licensee shall ensure that the child's authorized representative is notified if the child is not enrolled in or regularly attending school.
- (e) The licensee shall notify the licensing agency in writing, within ten working days, of a change of administrator. Such notification shall include the following:
 - (1) Name and residence and mailing addresses of the new administrator.
 - (2) Date he/she assumed his/her position.
 - (3) Description of his/her background and qualifications, including documentation of required education.
 - (A) A photocopy of the documentation shall be permitted.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1531 and 1562, Health and Safety Code; and Section 11406(c), Welfare and Institutions Code.

84064 ADMINISTRATOR QUALIFICATIONS AND DUTIES**84064**

- (a) In addition to Section 80064, the following shall apply.
- (b) All group homes shall have an administrator.
- (c) The administrator shall be on the premises for the number of hours necessary to manage and administer the facility in compliance with applicable law and regulation.
- (d) When the administrator is absent, one of the following requirements shall be met:
 - (1) In facilities with a licensed capacity of 12 or fewer children, there shall be coverage by a designated staff person.
 - (2) In facilities with a licensed capacity of 13 or more children, there shall be coverage by a designated substitute who has the following qualifications:
 - (A) Graduation from high school or equivalent.
 - (B) One year of administrative or supervisory experience over social work, child care and/or support staff providing direct services to children in an agency or in a community care facility with a licensed capacity of seven or more.
- (e) The administrator shall meet the requirements specified below:
 - (1) The administrator of a facility with a licensed capacity of 12 or fewer children shall meet one of the following requirements:
 - (A) Have a master's degree in a behavioral science from an accredited college or university, plus a minimum of one year of employment as a social worker, as defined in Section 80001s.(4), in an agency serving children or in a group residential program for children.
 - (B) Have a bachelor's degree from an accredited college or university, plus at least one year of administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility with a licensed capacity of seven or more.

84064**ADMINISTRATOR QUALIFICATIONS AND DUTIES (Continued)****84064**

- (C) Have completed at least two years at an accredited college or university, plus at least two years administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility with a licensed capacity of seven or more.
 - (D) Have completed high school, or equivalent, plus at least three years administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility with a licensed capacity of seven or more.
- (2) The administrator of a facility with a licensed capacity of 13 or more children shall meet one of the following requirements:
- (A) Have a master's degree in a behavioral science from an accredited college or university, plus at least one year of administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility with a licensed capacity of seven or more.
 - (B) Have a master's degree in a behavioral science from an accredited college or university, plus two years of employment as a social worker, as defined in Section 80001s.(4), in an agency serving children or in a group residential program for children.
 - (C) Have a bachelor's degree from an accredited college or university, plus at least three years administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility with a licensed capacity of seven or more.
 - (D) Have completed at least two years at an accredited college or university, plus at least five years administrative experience or supervisory experience over social work, child care, and/or support staff providing direct services to children in an agency or in a community care facility with a licensed capacity of seven or more.

84064 ADMINISTRATOR QUALIFICATIONS AND DUTIES (Continued)**84064**

- (f) Administrators employed prior to the effective date of this section shall remain qualified provided that they have no break in employment as a group home administrator exceeding three consecutive years.
- (1) Administrators who transfer to a facility with additional administrator requirements must meet the additional qualifications.
- (g) The administrator shall perform the following duties:
- (1) Direction and evaluation of a child care program within the limits of the functions and policies established by the licensee.
- (2) Preparation of the facility's budget and management of expenditures according to the facility's budget limitations.
- (3) Organization of the work of the facility and delegation of responsibility to staff members.
- (4) Assessment of the facility operations and program; and reporting to the licensee and making recommendations to address identified problems.
- (5) Recruitment, appointment, evaluation and termination of staff.
- (6) Development of a plan for the orientation, development and training of staff, as specified in Section 84065(g).
- (7) Review of complaints made by children or their authorized representative(s) as specified in Section 84072.2(a), and deciding upon the action to be taken to handle the complaint.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1531 and 1562, Health and Safety Code.

**84064.1 ADDITIONAL ADMINISTRATOR QUALIFICATIONS AND DUTIES
IN SPECIALIZED GROUP HOMES****84064.1**

- (a) The administrator shall ensure the provision of services to children with special health care needs with appropriate regard for the child's physical and mental well-being and needs, including those services identified in the child's individualized health care plan.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 1501, 1531 and 1562, Health and Safety Code.

84065 PERSONNEL REQUIREMENTS**84065**

- (a) In addition to Section 80065, the following shall apply.
- (b) The licensee shall employ those administrative, child care, social work and support staff necessary to perform the assigned duties specified in applicable law and regulation.
- (c) The licensee shall ensure provision of the services specified in Section 84065.2(c)(1) through (4) by social work staff.
- (d) The licensee shall designate at least one facility manager to be present at the facility at all times when children are present:
 - (1) The facility manager shall meet one of the following requirements prior to employment.
 - (2) This requirement does not apply to facilities with a licensed capacity of six or less which were licensed prior to January 1, 1985.
 - (A) One year of full-time experience, or its equivalent, working with the client group to be served.
 - (1) Experience shall be verified as having been performed as a paid or volunteer staff person whose duties required direct supervision and care of the client group served.
 - (B) Two years experience as a member of the social work staff in a group home performing those duties specified in Section 84065.2(c).
 - (C) Completion with a passing grade, from an accredited or approved college or university, of 15 college semester or equivalent quarter units in behavioral science, 9 units of which must be in courses relating to children with behavioral problems which may be the result of abuse, neglect, or emotional trauma. The courses may include, but are not limited to curriculums in Corrections, Psychology, Social Work, or Social Welfare.
- (e) In facilities with a licensed capacity of 13 or more children, one employee shall be designated by the administrator to have primary responsibility for planned activities, and shall be given assistance as necessary to ensure that all children participate in accordance with their needs, interests, and abilities.

84065 PERSONNEL REQUIREMENTS (Continued)**84065**

- (1) Such employee shall develop, organize, implement, and evaluate the facility activity program, and shall possess the following qualifications:
 - (A) Completion of or enrollment in a related education or training program.
 - (B) Six months' experience in organizing and providing planned activities.
- (f) The licensee of a group home providing care and supervision to children diagnosed by a physician, psychiatrist, psychologist or licensed clinical social worker as mentally disordered shall make provision for at least monthly consultation from a psychiatrist, or clinical psychologist, or licensed clinical social worker regarding the program of services.
 - (1) The licensee shall maintain on file copies of reports signed by any such consultant, noting the types and hours of services provided.

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- (A) The number of hours of consultation may be based on the size of the facility, qualifications of personnel, availability or lack of community resources, type of population, documentation of unmet needs and the number of hours provided by a social worker employed by the facility.

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- (g) The licensee of a group home providing care and supervision to children diagnosed by a physician, psychiatrist or psychologist as developmentally disabled shall make provision for at least monthly consultation from a qualified mental retardation professional regarding the program of services.
 - (1) The licensee shall maintain on file copies of reports signed by any such consultant, noting the types and hours of services provided.

84065 PERSONNEL REQUIREMENTS (Continued)**84065**

HANDBOOK BEGINS HERE

- (A) The number of hours of consultation may be based on the size of the facility, qualifications of personnel, availability or lack of community resources, type of population, documentation of unmet needs and the number of hours provided by a social worker employed by the facility.

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- (h) The licensee shall develop, maintain and implement a written plan for the orientation, continuing education, on-the-job training and development, supervision, and evaluation of all child care staff.
- (1) The plan shall require child care staff to receive and document a minimum of 20 clock hours of continuing education during the first 18 months of employment and during each three years thereafter.
- (A) Continuing education shall include completion of courses related to the principles and practices of child care, including but not limited to workshops, seminars, and academic classes.
- (B) Continuing education, training and classes may be provided at the facility.
- (C) Proof of course attendance and completion shall be limited to official grade slips, transcripts, certificates or signed documentation from a college, adult education department, a bona fide educational institution/organization or licensee association.

84065 PERSONNEL REQUIREMENTS (Continued)**84065**

- (2) The on-the-job training and development program shall include training in the following areas:
- (A) The principles and practices of child care, with special emphasis on child care in a group setting.
 - (B) Behavior management techniques, including but not limited to special training for handling disruptive behavior.
 - (C) Crisis management, including but not limited to special training for handling children in a group setting under emergency circumstances.
 - (D) The facility's plan of operation, including administrative procedures and program goals.
 - (E) The facility's emergency and safety procedures, including but not limited to fire drills and disaster plan procedures.
 - (F) Community services and resources that may be used by the children.
- (i) All employees shall be given a copy of the job description specified in Section 84066(b)(1) which is relevant to their duties, and shall have access to all other job descriptions.
- (j) The staff assignment information specified in Section 84066(b)(2) shall be provided to all applicants during interviews for employment; to all staff during orientation or when changes are made which affect job assignments; and upon request to placement agencies.
- (k) Upon employment, staff shall receive copies of the removal and/or discharge policies and procedures specified in Section 84068.4(a); of the discipline policies and procedures specified in Section 84072.1(a), and of the complaint procedures specified in Section 84072.2(a).
- (l) Physician reports from general practitioners or specialists may be required after licensure if the licensing agency has reason to believe that a licensee's or staff member's physical and/or mental health is not adequate to carry out responsibilities under these regulations.
- (1) The licensing agency shall provide the licensee with a written explanation of the need for any additional report.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1522.4, 1531 and 1562, Health and Safety Code.

84065.1 ADDITIONAL PERSONNEL REQUIREMENTS FOR SPECIALIZED GROUP HOMES**84065.1**

- (a) Any person who provides specialized in-home health care to a child placed in the group home as of November 1, 1993, shall comply with the following requirements:
- (1) Prior to caring for the child or when the child's needs change, the in-home health care provider shall complete training in specialized in-home health care provided by a health care professional as required by the child's individualized health care plan, except when
 - (A) The in-home health care provider is a licensed health care professional; and
 - (B) The child's individualized health care plan team determines that completion of specialized in-home health care training for the child is unnecessary on the basis of the in-home health care provider's medical qualifications and expertise.
- (b) No person shall provide specialized in-home health care to a child placed in the home after November 1, 1993, unless
- (1) He/she is a licensed health care professional; and
 - (2) The child's individualized health care plan team determines that he/she has the necessary medical qualifications and expertise to meet the child's in-home health care needs.
 - (A) The child's individualized health care plan team shall make a new determination each time the child's in-home health care needs change.
- (c) Volunteers caring for children in a specialized group home shall meet the health screening requirements in Sections 80065(g)(1) and (g)(2).

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17731(c) and 17736(a) and (b), Welfare and Institutions Code and Sections 1501, 1531 and 1562, Health and Safety Code.

84065.2 PERSONNEL DUTIES**84065.2**

(a) The facility manager(s) shall:

- (1) Meet the requirements of Health and Safety Code Section 1522.4(a)(3).

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(A) Health and Safety Code Section 1522.4(a)(3) states:

A facility manager shall be at the facility at all times when one or more clients are present. To ensure adequate supervision of clients when clients are at the facility outside of their normal schedule, a current telephone number where the facility manager can be reached shall be provided to the clients, licensing agency, school, and any other agency as the department determines is necessary. The facility manager shall instruct these agencies and individuals to notify him or her when clients will be returning to the facility outside of the normal hours.

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(b) Child care staff shall perform the following duties:

- (1) Supervision, protection and care of children individually and in groups at all times.
- (2) Assistance to each child in working with a group and in handling individual problems.
- (3) Administration of discipline and setting of limits for behavior.
- (4) Notation of the child's progress; identification of the possible need for professional services; and communication of such findings to professional staff.

84065.2 PERSONNEL DUTIES (Continued)**84065.2**

- (c) Social work staff shall complete or assist in the completion of the following for each child:
- (1) An intake study, as specified in Section 84068.1.
 - (2) A needs and services plan, as specified in Sections 84068.2(a) and 84068.3.
 - (3) A discharge plan, as specified in Section 84068.4.
 - (4) Obtaining, developing and recording of the information necessary for the completion of (1) through (3) above, as specified in Section 84070.
- (d) Support staff shall perform the following duties:
- (1) Office work.
 - (2) Cooking.
 - (3) Housecleaning.
 - (4) Laundering.
 - (5) Maintenance of facility buildings, grounds, fixtures, furniture, equipment and supplies.
- (e) Support staff duties shall not be assigned to child care staff unless such assignments are directly related to the care of the children, and do not interfere with the performance of their child care duties.
- (1) Household duties directed towards development of self-help skills may be performed by the children in placement. Participation in these duties shall be voluntary and specified in the needs and services plan.
 - (2) No household duties shall go undone because a child refuses to participate.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1522.4 and 1531, Health and Safety Code.

84065.5 STAFF/CHILD RATIOS**84065.5**

- (a) From 7 a.m. to 10 p.m., there shall be one on-duty child care staff person to each ten children, or fraction thereof, present.
- (b) When the facility is providing direct care and supervision to the child(ren) of a minor parent(s) in placement, there shall be present on-duty, one child care staff person for every four children of minor parents, or fraction thereof.
- (c) If the children require special care and supervision because of age, problem behavior or other factors, the number of on-duty child care staff shall be increased.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Section 11465, Welfare and Institutions Code and Sections 1501 and 1531, Health and Safety Code.

84065.6 ADDITIONAL STAFF/CHILD RATIOS FOR SPECIALIZED GROUP HOMES**84065.6**

- (a) The licensee shall ensure that staff providing specialized in-home health care are responsible for the provision of care and supervision to no more than three children, with or without special health care needs.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17732(a) and (b), Welfare and Institutions Code.

84065.7 NIGHT SUPERVISION**84065.7**

- (a) In group homes providing care and supervision to 12 or fewer children, there shall be one child care staff person on duty from 10 p.m. to 7 a.m.
- (b) In group homes providing care and supervision to 13 to 30 children, there shall be one child care staff person awake and on duty from 10 p.m. to 7 a.m.
 - (1) Another person shall be on call and capable of arriving at the facility site within 30 minutes.

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- (A) The use of local emergency services does not eliminate the requirement to have an on-call person.

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84065.7 NIGHT SUPERVISION
(Continued)**84065.7**

- (c) In group homes providing care and supervision to 31 or more children, there shall be one child care staff person awake and on duty from 10 p.m. to 7 a.m. for the first 30 children; and one child care staff person awake and on duty for each additional 30 children or fraction of that amount.
- (d) In facilities required to have a signal system as specified in Sections 84088(d) through (d)(3), at least one staff person shall be responsible for responding to such system.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84066 PERSONNEL RECORDS**84066**

- (a) In addition to Section 80066, the following shall apply.
- (b) The licensee shall maintain the following personnel records:
 - (1) Complete job descriptions on all positions within the facility.
 - (2) A description of all staff assignments, including information regarding lines of authority and staff responsibilities.
 - (3) A dated employee time schedule developed at least monthly; displayed conveniently for employee reference; and containing the following information for each employee:
 - (A) Name.
 - (B) Job title.
 - (C) Hours of work.
 - (D) Days off.
 - (4) Documentation of the completion by each child care staff person of the training specified in Sections 84065(h) through (h)(2)(F).
 - (5) A record of each work performance evaluation and any correspondence with the employee.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1531 and 1562, Health and Safety Code.

84066.1 ADDITIONAL PERSONNEL RECORDS FOR SPECIALIZED GROUP HOMES**84066.1**

- (a) The licensee shall ensure that the personnel records of all persons subject to the requirements of Section 84065.1(a) contain the following:
- (1) For any training or additional training from which the in-home health care provider is exempt:
 - (A) Documentation that the child's individualized health care plan team has determined that it is not necessary for the in-home health care provider to complete the specialized in-home health care training or additional training.
 1. Documentation may be provided in different ways, including, but not limited to, a written statement from a member designated by the team that the team has been notified and has determined that the training or additional training is unnecessary.
 - (B) A copy of a valid license or certificate indicating that he/she is a licensed health care professional.
 - (2) For any training or additional training from which the in-home health care provider is not exempt:
 - (A) Documentation, by a health care professional providing the training, that he/she has successfully completed the specialized in-home health care training specified in Section 84065.1(a)(1).
- (b) The licensee shall ensure that the personnel records of all persons subject to the requirements of Section 84065.1(b) contain the following:
- (1) Documentation that the child's individualized health care plan team has determined that the in-home health care provider has the necessary medical qualifications and expertise to meet the child's specialized in-home health care needs.
 - (A) Documentation shall be updated each time the child's specialized in-home health care needs change.
 - (B) Documentation may be provided in different ways, including, but not limited to, a written statement from a member designated by the team that the team has been notified and has determined that the in-home health care provider has the necessary medical qualifications to meet the child's specialized in-home health care needs.

84066.1 ADDITIONAL PERSONNEL RECORDS FOR SPECIALIZED GROUP HOMES (Continued)**84066.1**

- (2) A copy of a valid license or certificate indicating that he/she is a licensed health care professional.
- (c) For each volunteer caring for children in a specialized group home, the licensee shall have on file the record of a health screening and test for tuberculosis as specified in Section 84065.1(c). The health screening shall be used in place of the volunteer statement specified in Section 80065(g)(3)(A).

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17731, Welfare and Institutions Code and Section 1501, 1531 and 1562, Health and Safety Code.

84068.1 INTAKE PROCEDURES**84068.1**

- (a) The licensee shall develop, maintain, and implement intake procedures which meet the requirements specified in this section.
- (b) When a child is being considered for nonemergency placement in a group home, the following requirements shall be met prior to the child's placement in the home.
 - (1) The information specified in Sections 80070(b)(1) through (5), (7), (8) and (10), and Sections 84070(b)(1) through (10) shall be obtained from the placement agency, if any, or from the child's authorized representative(s).
 - (A) If the information is not completed by a placement agency, the licensee shall make telephone and/or written requests for the information to the child's placement agency and/or authorized representative, and shall record and retain the details of those requests.
 - (B) If the information is not received within 15 days of the requests specified in (A) above, the licensee shall obtain the information necessary to complete a standard appraisal form from other sources.
 - (C) When the information is received, social work staff shall complete a standard appraisal for the child on a form approved and/or furnished by the licensing agency.
 - (2) The needs and services plan shall be completed as specified in Section 84068.2.

84068.1 INTAKE PROCEDURES (Continued)**84068.1**

- (3) The information specified in (1) and (2) above shall be reviewed by the social work staff to determine whether the facility can provide the services necessary to meet the child's needs.
- (A) If it is determined that the facility cannot provide necessary services, applicable discharge procedures specified in Sections 84068.4(b), (c) and (e); and 84070(d) through (d)(3) shall be followed.
- (4) If the child is accepted for placement, the following requirements shall be met:
- (A) An admission agreement shall be completed and signed as specified in Section 80068.
- (B) The administrator or his/her designee, and the child and/or his/her authorized representative(s), shall sign copies of the removal and/or discharge policies and procedures specified in Section 84068.4(a); of the discipline policies and procedures specified in Section 84072.1(a); and of the complaint procedures specified in Section 84072.2(a), to verify the receipt of such information.
- (C) Information specified in Sections 80070 and 84070 necessary to complete the child's file shall be obtained.
- (D) Needs and services plan requirements specified in Section 84068.2 which were not addressed on the standard appraisal form, if used, shall be met.
- (c) If the child is placed in the facility under emergency circumstances, the licensee shall ensure that the following requirements are met:
- (1) Placement of the child in the facility shall not result in the facility exceeding its licensed capacity.
- (2) The admission agreement and other procedures specified in (b)(4)(A) and (B) above shall be completed no later than seven days following the emergency placement.
- (3) If it is determined, following emergency placement of the child in the facility, that the facility cannot continue to provide necessary services, applicable discharge procedures specified in Sections 84068.4(b), (c) and (e); and 84070(d) through (d)(3) shall be followed.
- (4) If the child is continued in placement, the following requirements shall be met no later than 30 days following the emergency placement:
- (A) Information specified in Sections 84070(b) and 84068.2 shall be obtained.

84068.1 INTAKE PROCEDURES (Continued)**84068.1**

- (B) The information specified in (A) above, and the needs and services plan specified in Section 84068.2, shall be reviewed by social work staff to determine whether the facility can continue to provide services necessary to meet the child's needs.
- (C) The admission agreement shall be modified as specified in Section 80068(d), if necessary.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84068.2 NEEDS AND SERVICES PLAN**84068.2**

- (a) Social work staff shall obtain the information specified in Section 84070, and shall develop an individual needs and services plan for the child which meets the requirements specified in (b) through (d) below.
 - (1) A needs and services plan is not required for children who are placed in the facility on an emergency basis and who will remain in placement for less than seven days as documented in the child's record.
- (b) The needs and services plan shall identify the child's needs in the following areas:
 - (1) Reason for placement.
 - (2) Education.
 - (A) If the information specified in Section 84070(b)(4) is not available, the plan shall specify a method for determining such needs.
 - (3) Training.
 - (4) Personal care and grooming.
 - (5) Ability to manage his/her own money, including the maximum amount of money the child shall be permitted to have in his/her possession at any one time.
 - (6) Visitation, including the frequency of and any other limitations on visits to the family residence and other visits inside and outside the facility.

84068.2 NEEDS AND SERVICES PLAN
(Continued)**84068.2**

- (7) Other specific services, including necessary services to the child's parent(s) or guardian(s).
- (c) The needs and services plan shall include the following information regarding services necessary to meet the child's needs:
 - (1) Types of services necessary.
 - (2) The facility's purposes, program methods, and goals.
 - (A) The facility's purposes, program methods, and goals.
 - (B) The facility's admission policies and procedures.
 - (C) Services to be provided by the facility in cooperation with community resources.
 - (3) Planned length of placement, including the discharge plan specified in Section 84068.4(b).
 - (4) Financial arrangements for provision of services to the child.
- (d) The licensee shall ensure that the child and his/her authorized representative(s) are offered the opportunity to participate in the development of the needs and services plan.
 - (1) The licensee shall not implement a needs and services plan unless prior written approval of the plan has been obtained from the child's authorized representative(s).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84068.3 MODIFICATIONS TO NEEDS AND SERVICES PLAN**84068.3**

- (a) The needs and services plan specified in Section 84068.2 shall be updated at least every six months to determine the following:
 - (1) The child's need for continuing services.
 - (2) The facility's recommendation regarding the feasibility of the child's return to his/her home; placement in another facility; or move to independent living.

84068.3 MODIFICATIONS TO NEEDS AND SERVICES PLAN
(Continued)**84068.3**

- (3) The need for modification in services.
- (b) The licensee shall ensure that the child and his/her authorized representative(s) are offered the opportunity to participate in such modifications.
 - (1) The licensee shall not implement any plan modifications unless prior written approval of such modifications has been obtained from the child's authorized representative(s).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84068.4 REMOVAL AND/OR DISCHARGE PROCEDURES**84068.4**

- (a) The licensee shall develop, maintain and implement written policies and procedures governing a child's removal and/or discharge from the facility.
 - (1) Children and their authorized representative(s) shall receive copies of such policies and procedures.
 - (2) Signed copies of such policies and procedures shall be maintained in the child's record, as specified in Section 84070(c)(2).
- (b) The licensee shall ensure that the child and his/her authorized representative(s) are offered the opportunity to participate in the development of a discharge plan for the child.

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- (1) Circumstances under which discharge might occur would include the child reaching the age of 18, or meeting needs and services plan goals.

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- (2) The licensee shall not discharge a child unless prior written approval of the discharge has been obtained from the child's authorized representative(s).
- (c) If it is determined that the facility cannot meet the needs of the child, the licensee shall notify the authorized representative(s) of the determination and request that the child be placed elsewhere.

84068.4 REMOVAL AND/OR DISCHARGE PROCEDURES (Continued)**84068.4**

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- (d) Nothing in this section is intended to prevent the child's removal from the facility under emergency circumstances by an authorized person or agency.
- (1) Examples of such circumstances include:
- (A) Removal by law enforcement officers when a child is arrested or when removal is necessary because the health and safety of the child or of other children in the facility is endangered by the child's continued presence in the facility.
- (B) Removal for emergency medical or psychiatric care.
- (C) Relocation by the child's authorized representative(s).

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- (e) Social work staff shall develop and maintain a written removal of discharge record containing the information specified in Sections 84070(d) through (d)(3).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84069.1 IMMUNIZATIONS**84069.1**

- (a) A child for whom vaccination against the following diseases cannot be verified shall receive the first doses of the appropriate vaccines within 30 calendar days of placement in the facility and shall receive follow-up doses as recommended by the physician who administered the first doses.
- (1) Poliomyelitis.
- (2) Diphtheria.
- (3) Pertussin, i.e., whooping cough.
- (4) Tetanus.

84069.1 IMMUNIZATIONS (Continued)**84069.1**

- (5) Measles.
- (6) Rubella, i.e., German measles.
- (7) Mumps.

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- (1) Verification of immunization can include a copy of the California School Immunization Record (PM 286) or a written immunization record from a physician or clinic. Immunization records must show the date of receipt of each required dose.

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- (b) Notes from parents, guardians, etc., are not acceptable documentation.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1507 and 1531, Health and Safety Code.

84069.2 INDIVIDUALIZED HEALTH CARE PLANS FOR SPECIALIZED GROUP HOMES**84069.2**

- (a) The licensee shall not accept any child with special health care needs unless the licensee has obtained an individualized health care plan for the child. The plan shall include the following information:
 - (1) The name, address, and phone number of the health care professional responsible for monitoring the child's ongoing health care.
 - (2) The appropriate number of hours of on-site supervision and monitoring, and the appropriate number of hours of off-site supervision and monitoring, needed to be provided by the monitor designated in Section 84069.2(a)(1).
 - (3) For children with special health care needs placed as of November 1, 1993:
 - (A) Documentation by the child's individualized health care plan team identifying the specialized in-home health care to be administered by a health care professional or responsible adult trained by a health care professional.

84069.2 INDIVIDUALIZED HEALTH CARE PLANS FOR SPECIALIZED GROUP HOMES (Continued)**84069.2**

- (B) Specific responsibilities of staff for the provision of specialized in-home health care.
 - (C) Identification of any available and funded medical services that are to be provided to the child in the home which may include, but is not limited to, assistance from health care professionals.
- (4) For children with special health care needs placed after November 1, 1993:
- (A) Documentation by the child's individualized health care plan team identifying the specialized in-home health care to be administered by one or more health care professionals.
 - (B) Specific responsibilities of the health care professional(s) for the provision of specialized in-home health care.
 - (C) Identification of any available and funded medical services that are to be provided to the child in the home including the name, address and telephone number of each health care professional or agency that is to provide medical services to the child in the home.
- (5) Arrangements for in-home health support services if required.
- (6) Identification of any psychological, emotional, behavioral, or medical problems that will be identified in the child's needs and services plan or the medical assessment specified in Section 80069.
- (b) The individualized health care plan for each child with special health care needs shall be updated at least every six months or sooner if the needs of the child change.
- (c) For any child with special health care needs the hospital discharge plan may be adopted by the individualized health care plan team as the child's individualized health care plan.
- (d) The individualized health care plan may be combined with the child's needs and services plan or regional center individual program plan provided that all the information required by each plan is included.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code.
Reference: Section 17731(c) and 17710(h), Welfare and Institutions Code.

84070 CHILDREN'S RECORDS**84070**

- (a) In addition to Section 80070, the following shall apply.
- (b) The following information regarding the child shall be obtained and maintained in the child's record:
- (1) The name, address, and telephone number of all adults with whom the child was living immediately prior to the current placement.
 - (2) The name, address, and telephone number of the child's parent(s), if known.
 - (3) The name, address, and telephone number of the placement worker and placement agency.
 - (4) Educational records, if available, describing the child's present academic level, including his/her grade or performance level, and any previous school-related problems.
 - (5) Dental and medical history, if available, including immunization records; and physician's orders for any medically necessary diet as specified in section 80076(a)(6).
 - (6) The child's court status, if applicable, including a copy of any custody orders and agreements with parent(s) or person(s) having legal custody.
 - (7) The placement agency's list of persons who should not be allowed to visit.
 - (8) Medical, psychiatric and psychological reports that identify special needs of children diagnosed as mentally disordered or developmentally disabled.
 - (9) Medical and dental insurance coverage information, or information regarding the agency or person responsible for medical and dental costs.
 - (10) Consent forms, completed by the child's authorized representative(s), to permit the facility to authorize medical care.
 - (11) A copy of the standard appraisal form specified in Section 84068.1(b)(10(C)), if used.
- (c) If it is determined that the facility can provide the services necessary to meet the child's needs, the following additional information shall be maintained in the child's record:
- (1) A copy of the child's original needs and services plan; verification, signed by the child and his/her authorized representative(s), that they were offered the opportunity to participate in plan development; and verification that the authorized representative(s) have approved the plan.

84070 CHILDREN'S RECORDS 84070
(Continued)

- (2) Signed copies of the facility's policies and procedures regarding the child's removal and/or discharge; discipline; and complaints.
 - (3) Documentation that vaccinations have been obtained as specified in Section 84069.1, if immunization records are not available prior to placement.
 - (4) Records and documentation regarding any fines levied as specified in Sections 84026(c)(1) through (4).
 - (5) Copies of any modifications to the child's needs and services plan; verification, signed by the child and his/her authorized representative(s), that they were offered the opportunity to participate in any such modifications; and verification that the authorized representative(s) have approved such modifications.
- (d) If it is determined that the child is to be removed or discharged from the facility, the following information shall be maintained in the child's record:
- (1) Date the child's authorized representative(s) was notified of the necessity for the child's removal or discharge.
 - (2) The name, address, and relationship to the child of the person to whom the child was released.
 - (3) Reason for the child's removal or discharge.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1507 and 1531, Health and Safety Code.

84070.1 ADDITIONAL CHILDREN'S RECORDS FOR SPECIALIZED 84070.1
GROUP HOMES

- (a) The licensee of a specialized group home shall ensure that records for each child with special health care needs contain the following:
- (1) Documentation that the child has been adjudged a dependent of the court under Section 300 of the Welfare and Institutions Code or has not been adjudged a dependent of the court pursuant to Section 300 but is in the custody of the county welfare department, or has a developmental disability and is receiving services and case management from a regional center.
 - (2) A copy of the child's individualized health care plan as specified in Section 84069.2.

84070.1 ADDITIONAL CHILDREN'S RECORDS FOR SPECIALIZED GROUP HOMES (Continued)**84070.1**

- (3) A copy of the written reassessment of the child's individualized health care plan as specified in Section 84069.2(b).
- (b) The licensee of a group home caring for children with special health care needs placed on or after January 1, 1992, shall ensure that:
- (1) The needs and services plan for each child in the home documents the determinations required by Section 84010.1(a)(2)(C).
- (2) For each child with special health care needs placed on or after January 1, 1992, the child's records contain the following:
- (A) In the child's needs and services plan, a description of the emergency necessitating that the child be placed in the group home and a written plan of relocation specifying the arrangements for subsequent placement in a less restrictive setting as required by Section 84010.1(a)(2)(B); and
- (B) In the child's admission agreement,
1. If the 120 calendar day limitation period specified in Section 84010.1(a)(2)(A) has not been exceeded, the number of calendar days the child may remain in the group home without exceeding the limitation period; or
 2. If the 120 calendar day limitation period has been exceeded, the number of calendar days the child may remain in the group home as stated in the extension approved under Section 84010.1(a)(2)(A)1.
 - a. The child's records shall also contain a copy of the letter from the Director or his/her designee approving the extension.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17710(a), 17731(c) and 17732(d) and (e), Welfare and Institutions Code and Section 1531, Health and Safety Code.

84072 PERSONAL RIGHTS**84072**

- (a) In addition to Section 80072, the following shall apply.
- (b) The licensee shall ensure that each child is accorded the following personal rights:
- (1) To visit the facility with his/her relatives and/or authorized representative(s) prior to admission.
 - (2) To file a complaint with the facility, as specified in Section 84072.2.
 - (3) To have the facility inform his/her authorized representative(s) of his/her progress at the facility.
 - (4) To have communications to the facility from his/her relatives and/or authorized representative(s) answered promptly and completely.
 - (5) To have visitors visit privately during waking hours without prior notice, provided that such visitations are not prohibited by the child's needs and services plan; do not infringe upon the rights of other children; do not disrupt planned activities; and are not prohibited by court order or by the child's authorized representative(s).
 - (A) Rules regarding visitation hours, sign-in rules and visiting rooms can be established but shall apply to all visitors.
 - (6) To wear his/her own clothes.
 - (7) To possess and use his/her own toilet articles.
 - (8) To possess and use his/her own cash resources except as specified in Section 84026.
 - (9) To possess and use his/her own personal items unless prohibited as part of a discipline program.
 - (10) To have access to individual storage space for his/her private use.
 - (11) To have access to telephones in order to make and receive confidential calls, provided that such calls are not prohibited by the child's needs and services plan; are not prohibited as a form of discipline; do not infringe upon the rights of other children; do not restrict availability of the telephone during emergencies; and are not prohibited by court order or by the child's authorized representative(s).
 - (A) The licensee shall be permitted to require reimbursement from the child or his/her authorized representative for long distance calls.

84072 PERSONAL RIGHTS (Continued)**84072**

- (B) The licensee shall be permitted to prohibit long distance calls upon documentation that requested reimbursement for previous long distance calls has not been received.
 - (C) Calls permitted to be prohibited as a form of discipline shall not include calls to the child's authorized representative or placement agency.
- (12) To send and receive unopened correspondence unless prohibited by court order or by the child's authorized representative(s).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84072.1 DISCIPLINE POLICIES AND PROCEDURES**84072.1**

- (a) The licensee shall develop, maintain and implement written facility discipline policies and procedures meeting the requirements specified in (b) and (c) below.
 - (1) Staff, children, and authorized representatives shall receive copies of such policies and procedures, as specified in Section 84065(k) and 84068.1(b)(4)(B).
 - (2) Signed copies of such policies and procedures shall be maintained in the child's record, as specified in Section 84070(c)(2).
- (b) Any form of discipline which violates a child's personal rights as specified in Sections 80072 and 84072 shall be prohibited.
- (c) Acceptable forms of discipline shall include the following:
 - (1) Exclusion in an unlocked living, sleeping, or play area.
 - (2) Institution of fines as specified in Section 84026(b).
 - (3) Prohibition against attendance at or participation in planned activities.
 - (4) Prohibition against use of entertainment devices including but not limited to telephones, televisions, radios and phonographs.

84072.1 DISCIPLINE POLICIES AND PROCEDURES
(Continued)**84072.1**

- (5) Performance of additional duties related to training needs identified in the child's needs and services plan.
- (6) Any other form of discipline approved in writing, in advance by the licensing agency.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84072.2 COMPLAINT PROCEDURES**84072.2**

- (a) The licensee of a group home shall develop, maintain and implement written complaint procedures by which children or their authorized representatives are permitted to file complaints, without fear of retaliation, with the facility administrator regarding facility staff or operations.

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Children and/or their authorized representatives may file complaints with the licensing agency.

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- (1) Staff, children, and authorized representatives shall receive copies of such procedures, as specified in Sections 84065(k) and 84068.1(b)(4)(B).
- (2) Signed copies of such procedures shall be maintained in each child's record, as specified in Section 84070(c)(2).
- (3) Such procedures shall be posted in a location in the facility which is accessible to children and their authorized representatives.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84072.3 PERSONAL RIGHTS FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS**84072.3**

- (a) Except as specified in this section, Section 80072(a)(8) shall not apply to children with special health care needs.
- (b) A child with special health care needs has the right to be free from any restraining/postural support device imposed for purposes of discipline or convenience, and not required to treat the child's specific medical symptoms.
- (1) Physical restraining devices may be used for the protection of a child with special health care needs during treatment and diagnostic procedures such as, but not limited to, intravenous therapy or catheterization procedures. The restraining device, which shall not have a locking device, shall be applied for no longer than the time required to complete the treatment and shall be applied in conformance with the child's individualized health care plan. The child's individualized health care plan shall include all of the following:
- (A) The specific medical symptom(s) that require use of the restraining device.
- (B) An evaluation of less restrictive therapeutic interventions and the reason(s) for ruling out these other practices as ineffective.
- (C) A written order by the child's physician. The order must specify the duration and circumstances under which the restraining device is to be used.
- (2) Postural support as specified in Sections 80072(a)(8)(A) and (A)1., half-length bed rails, and protective devices as specified in Section 80072(a)(8)(G), may be used if prescribed in the individualized health care plan. The use of a postural support or protective device and the method of application shall be specified in the child's individualized health care plan and approved in writing by the child's physician.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17730, Welfare and Institutions Code.

84075 HEALTH-RELATED SERVICES**84075**

- (a) In addition to Section 80075, the following shall apply.
- (b) The licensee shall ensure that all prescribed medications are centrally stored, as provided in Section 80075(h)(3).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1507 and 1531, Health and Safety Code.

84076**FOOD SERVICE****84076**

- (a) In addition to Section 80076, the following shall apply.
- (b) Written menus shall be posted weekly in an area accessible to the staff and children.
- (c) The licensee shall meet the following food supply and storage requirements:
 - (1) Supplies of staple nonperishable foods for a minimum of one week and fresh perishable foods for a minimum of two days shall be maintained on the premises.
 - (2) Freezers shall be large enough to accommodate required perishables and shall be maintained at a temperature of zero degrees F (-17.7 degrees C).
 - (3) Refrigerators shall be large enough to accommodate required perishables and shall maintain a maximum temperature of 45 degrees F (7.2 degrees C).
 - (4) Freezers and refrigerators shall be kept clean, and food storage shall permit the air circulation necessary to maintain the temperatures specified in (2) and (3) above.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84077**PERSONAL SERVICES****84077**

- (a) The licensee shall ensure the following:
 - (1) Provision of basic laundry services, including but not limited to washing, drying, and ironing of children's personal clothing.
 - (A) Children shall be permitted to participate in the performance of such services provided that the requirements specified in Section 80065(j) are met.
 - (2) Provision of an allowance to all children no less frequently than once per month except:
 - (A) If the child in placement is an infant as defined in Section 80001.

84077 PERSONAL SERVICES (Continued)**84077**

- (B) If the child is unable to manage his/her own money because of age or if the authorized representative determines that the child cannot manage his/her own money.
- (1) If the authorized representative considers the child incapable of money management, it must be specified in the needs and services plan.
- (3) Portions of a child's allowance may be withheld through a fining system as specified in Section 84026

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Section 1501 and 1531, Health and Safety Code.

84078 RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION**84078**

- (a) In addition to Section 80078, the following shall apply.
- (b) The licensee shall provide those services identified in each child's needs and services plan and in the individualized health care plan for each child with special health care needs as necessary to meet the child's needs.
- (c) The licensee is responsible for ensuring care and supervision of the child(ren) of any minor parent(s) in placement.
- (1) Direct care and supervision of the child(ren) of a minor parent is to be provided during the hours that the minor parent is unavailable or unable to provide such care and supervision.
- (d) The licensee shall ensure each child's attendance at an educational program in accordance with state law.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 11465 and 17731, Welfare and Institutions Code and Sections 1501 and 1531, Health and Safety Code.

84079 PLANNED ACTIVITIES**84079**

- (a) The licensee shall develop, maintain, and implement a written plan to ensure that indoor and outdoor activities which include but are not limited to the following are provided for all children:
- (1) Activities that require group interaction.

84079 PLANNED ACTIVITIES (Continued)**84079**

- (2) Physical activities, including but not limited to games, sports and exercise.
 - (3) Leisure time.
 - (4) Educational activities, including attendance at an educational program in accordance with state law, and supervision of after school study as specified in Section 84078(c).
 - (5) Activities which meet the training, money management, and personal care and grooming needs identified in the children's needs and services plans, as specified in Sections 84068.2(c)(3) through (5).
- (b) Each child who is capable shall be given the opportunity to participate in the planning, preparation, conduct, cleanup, and critique of planned activities.
- (c) The licensee shall permit children to attend and participate in community activities, including but not limited to the following:
- (1) Worship services and activities of the child's choice.
 - (2) Community events, including but not limited to concerts, tours, dances, plays, and celebrations of special events.
 - (3) The YMCA, YWCA, and Boy and Girl Scouts.
- (d) In facilities with a licensed capacity of 13 or more children, a schedule of the planned activities shall be posted on at least a weekly basis in a central facility location readily accessible to children, relatives, and representatives of placement and referral agencies.
- (1) Copies of schedules shall be retained in the facility's files for at least six months.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84080**RESIDENT COUNCILS****84080**

- (a) Each facility, at the request of a majority of its residents, shall assist its residents in establishing and maintaining a resident-oriented facility council.
- (1) The licensee shall provide space and post notice for meetings, and shall provide assistance in attending council meetings for those residents who request it.
- (A) If residents are unable to read the posted notice because of a physical or functional disability, the licensee shall notify the residents in a manner appropriate to that disability including but not limited to verbal announcements.
- (2) The licensee shall document notice of meetings, meeting times, and recommendations from council meetings.
- (3) In order to permit a free exchange of ideas, at least part of each meeting shall be conducted without the presence of any facility personnel.
- (4) Residents shall be encouraged but shall not be compelled to attend council meetings.
- (b) The licensee shall ensure that in providing for resident councils the requirements of Section 1520.2 of the Health and Safety Code are observed.

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Health and Safety Code Section 1250.2 reads in pertinent part:

The council shall be composed of residents of the facility and may include family members of residents of the facility. The council may, among other things, make recommendations to facility administrators to improve the quality of daily living in the facility and may negotiate to protect residents' rights with facility administrators.

A violation of this section shall not be subject to the provisions of Health and Safety Code Section 1540 (misdemeanors), but shall be subject to the provisions of Health and Safety Code Section 1534 (civil penalties).

This section shall not apply to facilities licensed for six (6) or fewer individuals.

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NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Section 1520.2, Health and Safety Code.

Article 7. PHYSICAL ENVIRONMENT**84087 BUILDINGS AND GROUNDS****84087**

- (a) In addition to Section 80087, the following shall apply.
- (b) Bedrooms shall meet, at a minimum, the following requirements:
- (1) No more than two children shall sleep in a bedroom.
 - (2) Bedrooms shall be large enough to allow for easy passage and comfortable use of any required assistive devices, including but not limited to wheelchairs, between beds and other items of furniture.
 - (3) Children of the opposite sex shall not share a bedroom unless each child is under five years of age.
 - (4) No room commonly used for other purposes shall be used as a bedroom.
 - (A) Such rooms shall include but not be limited to halls, stairways, unfinished attics or basements, garages, storage areas, and sheds or similar detached buildings.
 - (5) No bedroom shall be used as a public or general passageway to another room, bath or toilet.
 - (6) Except for infants, children shall not share a bedroom with an adult.
 - (A) In bedrooms shared by adults and infants, no more than one infant and no more than two adults shall share the room.
 - (B) If two children have been sharing a bedroom and one of them turns 18 they may continue to share the bedroom as long as they remain compatible and the licensing agency has granted an exception pursuant to Section 80024.
 - (7) Private bedrooms, separate from the children's bedrooms shall be provided for staff or other adults who sleep at the facility.
 - (A) Staff bedrooms are to be located near the children's sleeping area.

84087 BUILDINGS AND GROUNDS (Continued)**84087**

- (8) Subsections (1), (2), (3), (4), (5), and (6) apply to all bedrooms used by all children in the facility including children who are members of the licensee's family, children of staff members and children in placement.
- (9) Subsections (4), (5) and (7) apply to all bedrooms used by the licensee(s), staff and any other adults in the facility.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84087.1 ADDITIONAL BUILDINGS AND GROUNDS REQUIREMENTS FOR SPECIALIZED GROUP HOMES**84087.1**

- (a) Areas in the home, including bedrooms, bathrooms, toilets, dining areas, passageways and recreational spaces used by a child with special health care needs shall be large enough to accommodate any medical equipment needed by the child therein.
 - (1) Bedrooms occupied by children with special health care needs shall be large enough to allow the storage of each child's personal items and any required medical equipment or assistive devices, including wheelchairs, adjacent to the child's bed.
 - (A) The bedroom shall be large enough to permit unobstructed bedside ministrations of medical procedures and medications.
- (b) Notwithstanding Section 84087(b)(1), a bedroom used by a child with special health care needs shall not be shared with another minor residing in the facility if the child's need for medical services or the child's medical condition would be incompatible with the use and enjoyment of the bedroom by each minor.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17732, Welfare and Institutions Code.

84087.2 OUTDOOR ACTIVITY SPACE**84087.2**

- (a) Children shall have access to safe outdoor activity space.
- (1) Outdoor activity space meeting the requirement of (a) above shall include but not be limited to activity centers and public parks.
 - (2) A sketch of the physical plant as required in the plan of operation pursuant to Section 80022, shall include the location(s) of outdoor activity space.
 - (3) The outdoor activity space shall not include any area made inaccessible by fencing pursuant to Section 80087(f).
 - (4) Where natural or man-made hazards such as canals, cliffs, condemned buildings, creeks, ditches, lakes, ocean fronts, mines, power lines, quarries, rivers, ravines, swamps, watercourses, and areas subject to flooding lie on or adjacent to the facility premises, the outdoor activity space shall be inaccessible to such hazards.
 - (A) Where a fence or wall is used to make the outdoor activity space inaccessible, the requirements of Section 80087(f)(1) shall be met.
- (b) As a condition of licensure, the areas around and under high climbing equipment, swings, slides and other similar equipment shall be cushioned with material which absorbs falls.
- (1) Sand, woodchips, peagravel or rubber mats commercially produced for this purpose, shall be permitted.
 - (2) The use of cushioning material other than that specified in (1) above shall be approved by the licensing agency in advance of installation.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84087.3 INDOOR ACTIVITY SPACE**84087.3**

- (a) As a condition of licensure, there shall be common rooms, including a living room, dining room, den or other recreation/activity room, which provide the necessary space and/or separation to promote and facilitate the program of planned activities specified in Section 84079; and to prevent such activities from interfering with other functions.
- (1) At least one such room shall be available to children for relaxation and visitation with friends and/or relatives.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84088 FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES**84088**

- (a) In addition to Section 80088, the following shall apply.
- (b) As a condition of licensure, toilet, wash basin, bath and shower fixtures shall, at a minimum, meet the following requirements.
- (1) There shall be at least one toilet and wash basin maintained for each six persons residing in the facility, including children and personnel.
- (2) There shall be at least one shower or bathtub maintained for each ten persons residing in the facility, including children and personnel.
- (3) Toilets and bathrooms shall be located so that children do not have to go out-of-doors to have access to such accommodations.
- (4) Individual privacy shall be provided in all toilet, bath, and shower areas.
- (c) The licensee shall provide and make readily available to each child the following furniture, equipment and supplies necessary for personal care and maintenance of personal hygiene:
- (1) An individual bed maintained in good repair; equipped with good springs and a clean mattress; and supplied with pillow(s) which are clean and in good repair.

84088**FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES (Continued)****84088**

- (A) No group home shall have more beds for children's use than required for the maximum capacity approved by the licensing agency.
 - 1. This requirement shall not apply to the bed(s) made available for illness or separation of others in an isolation room or area as specified in Section 80075(b).
 - (B) Fillings and covers for mattresses and pillows shall be flame retardant.
 - (C) The use of cots, trundle, or bunk beds shall be prohibited.
- (2) Clean linen in good repair, including lightweight, warm blankets and bedspreads; top and bottom bed sheets; pillow cases; mattress pads; and bath towels, hand towels and wash cloths.
- (A) The quantity of linen provided shall permit changing the linen at least once each week, or more often when indicated to ensure that clean linen is in use by children at all times.
 - (B) Use of common towels and wash cloths shall be prohibited.

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- (C) Rubber or plastic sheeting or bed coverings should be provided when necessary.

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- (3) Items used to maintain basic personal hygiene practices, including but not limited to shampoo, feminine napkins, nonmedicated soap, toilet paper, toothbrush, toothpaste, and comb.
- (4) Portable or permanent closets and drawer space in the child's bedroom to accommodate the child's clothing and personal belongings.
 - (A) A minimum of two drawers or eight cubic feet (.2264 cubic meters) of drawer space, whichever is greater, shall be provided for each child.

84088 FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES (Continued)**84088**

- (d) The following facilities shall maintain a signal system which meets the requirements specified in (e) and (f) below. Such system shall be used by children to summon staff during an emergency.
- (1) All facilities with a licensed capacity of 31 or more children.
 - (2) All facilities having separate floors and not providing full-time staff on each floor whenever children are present.
 - (3) All facilities having separate buildings and not providing full-time staff in each building whenever children are present.
- (e) The signal system shall have the ability to meet the following requirements:
- (1) Operation from each children's living unit.
 - (2) Transmission of a visual and/or auditory signal to a central location, or production of an auditory signal at the specific children's living unit which is loud enough to summon staff.
 - (3) Identification of the specific children's living unit from which the signal originates.

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- (A) Intercoms may be used to meet the requirement for a signal system as long as all facility clients are capable of using the intercom system, and the intercom system meets all the requirements of a signal system.

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- (f) Facilities having more than one wing, floor or building shall be allowed to have a separate signal system in each component provided that each such system meets the requirements specified in (e) above.

84088 **FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES (Continued)** **84088**

- (g) The licensee shall provide and maintain the supplies, equipment and reading material necessary to implement the planned activities.
- (h) The licensee shall provide and make readily available to each child well-lighted desk or table space and necessary supplies, including reference materials, for school-related study.
- (i) Construction or other equipment, including but not limited to incinerators and air conditioning equipment, shall be made inaccessible to children.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

84088.3 **OUTDOOR ACTIVITY EQUIPMENT** **84088.3**

- (a) Outdoor activity equipment shall be securely anchored to the ground unless it is portable by design.
 - (1) Equipment shall be maintained in a safe condition free of sharp, loose or pointed parts.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.